



STATE OF MICHIGAN  
TERRI LYNN LAND, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

**MEMORANDUM**

**DATE:** April 1, 2010  
**TO:** Independent and Political Committees Registered on State Level  
**FROM:** Michigan Department of State, Bureau of Elections  
**SUBJECT:** **2010 CAMPAIGN STATEMENT FILING DEADLINES**

- **The careful review of this memo is recommended to ensure that you are aware of the filings required of your committee during 2010.**

- **Covered in this memo:**

**Updated Version of MERTS Plus Software  
Required Campaign Statements**

- **2010 April Due April 26<sup>th</sup>**
- **2010 July Due July 26<sup>th</sup>**
- **2010 October Due October 25<sup>th</sup>**

**Coverage Dates of Statements**

**Forms; Number of Copies Required**

**Late Contribution Reports**

**Special Election Independent Expenditure Reports**

**Ensure Timely Filing!**

**Avoid Late Filing Fees!**

**Accurate Campaign Statements Required!**

**Statement of Organization Amendments Required With Campaign Statement**

**Reporting Waiver Provisions**

**Identification Requirements**

**Dissolution Information**

**Questions?**

This memorandum will be the main correspondence you will receive from the Bureau of Elections regarding your filing requirements for the 2010 calendar year. This memorandum is also available on our Web site: [www.Michigan.gov/sos](http://www.Michigan.gov/sos).

You will receive a postcard before the 2010 July Campaign Statement and the 2010 October Campaign Statement. However, the postcard will just be a reminder and will not contain all of the following information. In addition, committees that provide an up-to-date email address on the committee's Statement of Organization will receive an email filing reminder in addition to the postcard. See page 6 of this memo for information on filing an amendment to the Statement of Organization.

### **Updated Version of MERTS Plus Software**

An updated version of the MERTS Plus software is now available at [www.Mertsplus.com](http://www.Mertsplus.com). The new version has added features that afford greater usability and flexibility over the previous version. Current users of the software received an e-mail explaining how to obtain the new version and how it has changed. The memo can be found at [www.Michigan.gov/sos](http://www.Michigan.gov/sos). Select:

1. "Elections in Michigan"
2. "Campaign Finance Disclosure"
3. "Spotlight"

If you are not currently using the MERTS Plus software to file your Campaign Statements, you can go to [www.Mertsplus.com](http://www.Mertsplus.com) and take the online training or sign-up to take training at the Bureau of Elections. After you have completed training, you will be provided with instructions on how to download the software.

### **Required Campaign Statements**

All Independent Committees and Political Committees that do not maintain a Reporting Waiver are required to file the following Campaign Statements:

Close of books for April Triannual	April 20, 2010
April Triannual filing deadline	April 26, 2010
Close of books for July Triannual	July 20, 2010
July Triannual filing deadline	July 26, 2010
Close of books for October Triannual	October 20, 2010
October Triannual filing deadline	October 25, 2010

The Campaign Statement is required even if the committee has no transactions to report for the period covered by the Campaign Statement.

Note: A Reporting Waiver maintained by an Independent or Political Committee is lost if the committee receives or spends more than \$1,000.00 during the course of the year, has an account balance over \$1,000.00 or has over \$1,000.00 in debts.

### **Coverage Dates of Statements**

Campaign Statements open one day after the closing date of the previous statement. If the committee has never filed a Campaign Statement, the first Campaign Statement filed opens on the earlier of the following two dates: 1) the committee's formation date or 2) the date the committee accepted its first contribution or made its first expenditure.

### **Forms; Number of Copies Required**

Forms for filing Campaign Statements are available on our Web site at [www.michigan.gov/sos](http://www.michigan.gov/sos).

- When filing on paper, one original copy of the Campaign Statement is required. A duplicate copy is not required.
- When filing electronically, a paper submission is not required.

### **Late Contribution Reports**

An Independent or Political Committee that participates in an election in 2010 is required to file a "Late Contribution Report" if the committee receives a single contribution of \$200.00 or more between the 15<sup>th</sup> and 3<sup>rd</sup> day before an election. See below.

#### **Election Date**

**May 4, 2010**

**August 3, 2010**

**November 2, 2010**

#### **Contribution Dates**

**04/19/2010 through 05/01/2010**

**07/19/2010 through 07/31/2010**

**10/18/2010 through 10/30/2010**

A Late Contribution Report must be received by this office within 48 hours after the committee's receipt of the contribution. A Late Contribution Report must contain the date and amount of the contribution along with the contributor's name, street address, occupation, employer and principal place of business. **The late contribution must also be disclosed on the next Campaign Statement filed by the committee.**

Committees that file electronically must use e-IDR to file Late Contribution Reports. However, all committees are encouraged to use the e-IDR program voluntarily. Late filing fees will be assessed in instances where reports that must be submitted electronically are not filed using e-IDR.

To file using e-IDR, go to [www.Michigan.gov/sos](http://www.Michigan.gov/sos) and select:

1. "Elections in Michigan"
2. "Campaign Finance Disclosure"
3. "E-Filing"
4. "Immediate Disclosure Reports (e-IDR)"

For committees not required to file electronically the report may be submitted by fax or any other means of written communication. The fax number for the Bureau of Elections is (517) 373-0941. A Late Contribution Report need not contain an original signature. A form for filing a Late Contribution Report on paper is available on our Web site: [www.Michigan.gov/sos](http://www.Michigan.gov/sos).

- **Late Contribution Reports are not waived by a Reporting Waiver.** However, committees with a Reporting Waiver are not required to show late contributions on a Campaign Statement.

A committee treasurer or designated record keeper who fails to file a Late Contribution Report required under Michigan's Campaign Finance Act is responsible for the payment of a late filing fee up to \$2,000.00. **NOTE: Appendix E of the Political Committee and Independent Committee Manual details how quickly this fee accumulates.**

### **Special Election Independent Expenditure Reports**

An Independent or Political Committee registered on the state level is required to file a Special Election Independent Expenditure Report if the committee makes an independent expenditure to support or oppose a candidate or ballot question within 45 calendar days before a special election in which the candidate or ballot question is involved.

The report must be filed with the Department of State's Bureau of Elections within 48 hours after the independent expenditure is made. Independent expenditures are expenditures made on behalf of or in opposition to a candidate which are not made under the control or with the consent of the candidate's Candidate Committee.

- Special Election Independent Expenditure Reports are not waived by a Reporting Waiver.
- Committees that are required to file electronically because they have exceeded the \$20,000.00 threshold must submit Special Election Independent Expenditure Reports using e-IDR. To file using e-IDR, follow the instructions provided under *Late Contribution Reports*.
- For paper filers, a Special Election Independent Expenditure Report is made by attaching an Itemized Independent Expenditures Schedule (2B-1) to a Campaign Statement Cover Page, entering the appropriate information and submitting the forms within the 48-hour period explained above. The Cover Page must list the committee's name and identification number and be signed by the committee's treasurer or designated recordkeeper. The Itemized Independent Expenditures Schedule must list the date and the amount of the independent expenditure; the name of the candidate and the office he or she seeks; the name and address of the person to whom the independent expenditure was paid; and a description of the independent expenditure which specifies whether the independent expenditure was made to support or oppose the candidate or ballot question involved. The Summary Page is not completed.
- An Independent Expenditure must be listed on the committee's next required Campaign Statement.
- If the committee raised **\$10,000.00 or less** during the previous 2 years, a \$25.00 late filing fee will be assessed each business day the report remains unfiled up to \$500.00.
- If the committee raised **more than \$10,000.00** during the previous two years, the maximum fee which may be assessed is increased to \$1,000.00.

### **Ensure Timely Filing!**

A Campaign Statement that is hand-delivered or sent by first class mail must reach this office before 5:00 p.m. on the date the Campaign Statement is due. Be sure to allow ample mailing time if sending first class.

An electronic filing sent via the Internet must be transmitted and received by the Bureau of Elections by 5:00 p.m. on the date the Campaign Statement is due.

An **“April 26”** Campaign Statement submitted on paper or removable media that is mailed by registered mail, certified mail or an overnight delivery service and postmarked on or before the filing deadline will be accepted as timely regardless of when it arrives.

A **“July 26”** Campaign Statement or an **“October 25”** Campaign Statement submitted on paper or removable media that is mailed by registered mail, certified mail or an overnight delivery service and postmarked two or more calendar days before the filing deadline will be accepted as timely regardless of when it arrives.

### **Avoid Late Filing Fees!**

Campaign Statements are required to be filed timely. Committees that file Campaign Statements late are assessed late filing fees.

- If the committee raised **\$10,000.00 or less** during the previous 2 years, a \$25.00 late filing fee will be assessed each business day the Campaign Statement remains unfiled up to \$500.00.
- If the committee raised **more than \$10,000.00** during the previous 2 years, the maximum fee which will be assessed is increased to \$1,000.00.

### **Accurate Campaign Statements Required!**

Be sure to include complete and accurate information on the Statement forms. Notices will be sent to the committee if forms are omitted, figures or cumulatives are wrong, addresses are incorrect, etc. The committee is then required to file an amendment to correct the error. Note: For information on calculating cumulative contributions, see the Election Cycles Chart on our Web site.

- A Campaign Statement will not be accepted if it is illegible, does not bear a proper signature or is not the proper size.
- A Campaign Statement that is filed by removable media will not be considered filed if it cannot be loaded due to circumstances that are not within the Department's control including missing files, incorrect file attachments or corrupt files.
- A Campaign Statement submitted on paper by a committee required to file electronically will not be accepted.

## **Statement of Organization Amendments Required With Campaign Statement**

We urge you to review your committee's Statement of Organization before you file a Campaign Statement. If any information on the Statement of Organization has changed, be sure to file an appropriate amendment to the form no later than the due date of the Campaign Statement. The committee is encouraged to file an amended Statement of Organization as soon as a change of information takes place. An amended Statement of Organization cannot be filed electronically. If a committee has a Reporting Waiver and is not required to file Campaign Statements, amendments to the Statement of Organization may be filed any time information on the form changes.

To download a Statement of Organization form for Independent Committees and Political Committees go to [www.Michigan.gov/sos](http://www.Michigan.gov/sos) and select:

1. "Elections in Michigan"
2. "Campaign Finance Disclosure"
3. "Forms and Filing Materials"
4. "Independent/Political (PAC) Committees."

Committees are responsible for notifying the Bureau of Elections when the committee's mailing address changes. Failure to receive correspondence from the Bureau of Elections is not a defense for failing to file a required Statement in a timely manner.

## **Reporting Waiver Provisions**

A committee that does not expect to receive or spend more than \$1,000.00 in a calendar year is eligible for a Reporting Waiver. A committee that qualifies for, and receives, a Reporting Waiver is exempt from filing Campaign Statements.

To become eligible for a Reporting Waiver, the committee must check item 10 on its Statement of Organization. This tells the filing official that the committee does not expect to receive or spend more than \$1,000.00 in a calendar year. The committee can check item 10 on its original Statement of Organization or on an amendment to its Statement of Organization.

- A committee that does not check item 10 on its Statement of Organization must file Campaign Statements regardless of the amount received or spent during the reporting period.
- A committee loses its Reporting Waiver if it receives or spends more than \$1,000.00 in a calendar year. Note that funds leftover at the end of the year count toward the amount received for the next calendar year. If the Reporting Waiver is lost, the committee must file the next required Campaign Statement.

## **Identification Requirements**

All PAC's, Ballot Question Committees and Political Party Committees are required to add the statement "**paid for with regulated funds**" to the identification or disclaimer included on

printed matter or in paid radio or television advertisements. The use of the phrase, "Paid for with regulated funds by (name and address of committee)" is recommended.

### **Dissolution Information**

Committees that no longer participate in Michigan elections are encouraged to dissolve. A dissolved committee has no further filing obligations. Please refer to the Political and Independent Committee manual for additional details on dissolving the committee.

### **Questions?**

If you have any questions, please contact us using the information below. The address below should also be used to mail your filing by first class mail, registered mail or certified mail.

Michigan Department of State Of Michigan  
Bureau of Election  
Post Office Box 20126  
Lansing, Michigan 48901-0726  
Phone: 517-373-2540  
Email: [Disclosure@Michigan.gov](mailto:Disclosure@Michigan.gov)

If you would like to visit our office or use an overnight delivery service, the address below is provided.

Michigan Department of State  
Bureau of Elections  
Richard H. Austin Building 1<sup>st</sup> Floor  
430 West Allegan Street  
Lansing, Michigan 48918-1700

**2010 - 2011**  
**Campaign Statement (CS) Due Dates**  
**For Independent and Political Committees (PACs)**  
**Filing with the Michigan Department of State**  
**Bureau of Elections**

April 20, 2010	Close of Books (Ending Cover Date of CS)
April 26, 2010	Triannual Campaign Statement Filing Deadline
July 20, 2010	Close of Books (Ending Cover Date of CS)
July 26, 2010	Triannual Campaign Statement Filing Deadline
October 20, 2010	Close of Books (Ending Cover Date of CS)
October 25, 2010	Triannual Campaign Statement Filing Deadline
December 31, 2010	Close of Books (Ending Cover Date of CS)
January 31, 2011	Triannual Campaign Statement Filing Deadline
July 20, 2011	Close of Books (Ending Cover Date of CS)
July 25, 2011	Triannual Campaign Statement Filing Deadline
October 20, 2011	Close of Books (Ending Cover Date of CS)
October 25, 2011	Triannual Campaign Statement Filing Deadline

If a committee does not have a Reporting Waiver, the Triannual Campaign Statements listed above are due even if the committee does not spend or receive any money during the reporting period.

Additional Campaign Statements may be required if the committee makes an independent expenditure to support or oppose a ballot issue or candidate involved in a “special” election. Contact the Michigan Department of State’s Bureau of Elections for filing deadline information if the committee makes an independent expenditure in a special election.

**Late Contribution Reports:** A Late Contribution Report must be received by this office within 48 hours after the committee's receipt of the contribution. A Late Contribution Report must contain the date and amount of the contribution along with the contributor's name, street address, occupation and employer information.

**Election Date**

**February 23, 2010**  
**May 4, 2010**  
**August 3, 2010**  
**November 2, 2010**

**Contribution Dates**

**02/08/2010 through 02/20/2010**  
**04/19/2010 through 05/01/2010**  
**07/19/2010 through 07/31/2010**  
**10/18/2010 through 10/30/2010**